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SOUTHERN DISTRICT OF CALIFORNIA
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# UNITED STATES DISTRICT COURT

# SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8498

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| UNITED STATES OF AMERICA, Plaintiff, | Magistrate Case No.: |
| v. | COMPLAINT FOR VIOLATION OF |
| CARLOS RAMOS-GALDAMEZ, Defendant. | Title 42, U.S.C. 408(a)(7)(B) False Representation of a Social Security Number |

The undersigned complaint being duly sworn states:

On or about December 1, 2006, at Boss 4 Packing LLC, within the Southern District of California, defendant CARLOS RAMOS-GALDAMEZ, for the improper purpose of employing undocumented aliens, and with the intent to deceive, falsely did represent xxx-xx-5364 to be the social security number assigned by the Commissioner of the Social Security Administration to Olga Rascon, in that defendant submitted the name Olga Rascon and social security number xxx-xx-5364 on a Boss 4 daily time record for December 2, 2006, when in truth and fact, such social security number was not assigned to Olga Rascon and belonged to another individual; in violation of Title 42, United States Code, Section 408(a)(7)(B).

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Arthur A. Caloca, Special Agent
U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3RD, DAY OF JUNE, 2008.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
CARLOS RAMOS-GALDAMEZ

STATEMENT OF FACTS

This case originated when ICE agents in Calexico, California, received information from a source, who later became a confidential source ("CI-1"), that Boss 4 Packing LLC ("Boss 4"), a farm labor contractor with a business address of 1118 Rockwood Avenue, Heber, California, routinely hired undocumented aliens to harvest crops in agricultural fields located in Imperial County, California. Boss 4 employs foremen who manage the field crews. The foremen are primarily responsible for recruiting and staffing their own field crews.

During the course of the investigation, ICE agents engaged the services of several confidential sources of information. Statements and evidence from one of those sources of information are set forth below. CI-1 has prior arrests for alien smuggling, but he/she has no criminal convictions. None of the information provided by the confidential sources of information has been deemed unreliable.

On December 2, 2006, CI-1 was employed by Boss 4 as a field worker. According to CI-1, on December 1 and 2, 2006, Carlos Ramos was the foreman for the Boss 4 field crew on which she and Olga Rascon were field workers. Carlos Ramos knowing that CI-1 was an undocumented alien because Carlos Ramos had prior knowledge that CI-1 had been deported from the United States, hired CI-1 and provided CI-1 with a name and social security number to be used by CI-1, while employed with Boss 4. Carlos Ramos also provide Olga Rason with a social security number knowing that Olga Rason was an undocumented alien, due to the fact that Carlos Ramos assisted Olga Rason with her illegal entry into the United States. CI-1 prepared daily time records at the direction of Carlos Ramos. These daily time records list the purported names of field workers, the purported social security numbers of the field workers, and the hours that they work. According to CI-1, as a foreman, Ramos is responsible for turning in the daily time records to the Boss 4 Packing LLC office personnel who then prepare paychecks to be issued to the employees. As a foreman, Ramos is also responsible for delivering the paychecks to the employees.

The daily time records for December 1 and 2, 2006, list Carlos Ramos as the foreman and list "Olga Lidia Rascon" as one of the field workers who was present and worked on both of those days. Agents later determined that the social security number listed for Olga Rascon on the daily time record for December 1 and 2, 2006, was a valid social security number that belonged to another person. Furthermore, agents determined that on the daily time record for December 1, 2006, 14 of the 17 social security numbers do not match the listed names (these social security numbers belong to other individuals), and one of the social security numbers was invalid.

During the course of the investigation, Agents received copies of Boss 4 paychecks issued to Olga Rascon on December 4, 5, and 6, 2006. Each of the paychecks lists "Olga L. Rascon" as the payee and each paycheck includes a portion an employee identification number xx5364, above the name "Olga L. Rascon."

On March 29, 2008, CI-1, outfitted with a recording device, traveled to the Boss 4 office with two undocumented aliens, Eva Najera and Olga Rascon to dispute one of their paychecks. Carlos Ramos was present when the undocumented aliens stated that they were illegal immigrants. Carlos Ramos settled the dispute with the two aliens and each was subsequently provided with a new paycheck.

On May 9, 2008, Olga Rascon and her husband, Francisco Zapot, were apprehended during the execution of a search warrant on 314 S. 14th Street. Agents determined that Olga Rascon was an undocumented alien and transported her to the U.S. Border Patrol Station for questioning. Olga Rascon told agents that her true name is "Olga Lidia Razcon-Mayoral", that she is a citizen of Mexico without documents that would allow her to work or remain in the United States. Olga Rascon stated that she works for Boss 4 on a field crew, and that she has worked for Boss 4 for approximately two years. Olga Rascon stated that her supervisor is Carlos Ramos and that he determines the days and hours that the field crew works. Olga Rascon also stated that she has never presented any documents to Carlos Ramos who hired her and that when Carlos Ramos hired her, Carlos Ramos asked if she had a social security number she replied "no." Olga Rascon was asked if Carlos Ramos who hired her knows she was not authorized to work in the United States and she replied "yes." Olga Rascon stated that her current supervisor, Carlos Ramos, and another supervisor both know she is not authorized to work in the United States. Numerous wage and earning statements ("W-2 forms") issued by Boss 4 to Olga Rascon were also found at the 314 residence during the search.